	Application No.	Applicant(s)
Notice of Allowability	10/617,965	CHANG ET AL.
	Examiner	**Art Unit**	
	Romain Jeanty	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *7/10/07*.

2. ☒ The allowed claim(s) is/are *1-2, 4-12, and 14-20* .

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None of the:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

       3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
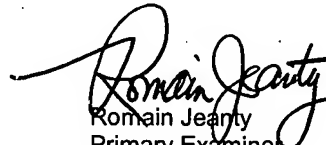
    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

       1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

       Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

Romain Jeanty
Primary Examiner
Art Unit: 3623

EXAMINER'S AMENDMENT

1.   An examiner's amendment to the record appears below. Should the changes and/or

additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR

1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the

payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with

Nathaniel Wallace on July 31, 2007.

This listing of claims will replace all prior versions, and listings, of claims in the

application:

1. (Currently Amended) A method for managing a business process, comprising the steps

of:

executing a business process that comprises an integrated set of applications that enable

interactions between a plurality of entities; and

managing the execution of the business process using business commitment

specifications that describe one or more business commitments among said entities, wherein the

business commitments are defined using KPIs (Key Performance Indicators) and wherein KPIs

are defined using probe points, the probe points comprising a logical locator inside the business

process for reporting process data to a process monitoring/control system for calculating the

KPIs, wherein the managing comprises, reporting process data from at least one probe point

associated with the business process upon activation of the at least one prove point, determining

a value of a KPI associated with the at least one probe point based on the process data, and

evaluating a business commitment associated with the KPI based on the determined value of the

KPI to determine if the business commitment has been violated.

2. (Original) The method of claim 1, wherein the business commitment specifications are

described using XML (eXtensible Markup Language) syntax.

3. (Cancelled)

4. (Currently Amended) The method of claim 3 1wherein the step of determining a value

of a KPI comprises determining the value of the KPI based on a value of at least one other KPI.

5. (Currently Amended) The method of claim 3 1, wherein the step of determining a

value of a KPI comprises invoking a function to determining the value of the KPI.

6. (Currently Amended) The method of claim 3 1, wherein the step of determining a

value of a KPI comprises determining the value of the KPI based on a value reported from a

probe point.

7. (Currently Amended) The method of claim 3 1, wherein the step of evaluating a

business commitment comprises evaluating a condition specified by the business commitment

using the determined value of the KPI.

8. (Currently Amended) The method of claim 3 1, further comprising the step of

commencing an action if it is determined that the business commitment has been violated.

9. (Original) The method of claim 8, wherein the step of commencing an action

comprises providing notification of the violation to an entity associated with the business

commitment.

10. (Original) The method of claim 8, wherein the step of commencing an action

comprises invoking a management directive to alter the execution of the business process.

11. (Currently Amended) A program storage device readable by machine, tangibly

embodying a program of instructions executable by the machine to perform method steps for

managing a business process, the method steps comprising:

executing a business process that comprises an integrated set of applications that enable

interactions between a plurality of entities; and

managing the execution of the business process using business commitment

specifications that describe one or more business commitments among said entities, wherein the

business commitments are defined using KPIs (Key Performance Indicators) and wherein KPIs

are defined using probe points, the probe points comprising a logical locator inside the business

process for reporting process data to a process monitoring/control system for calculating the

KPIs, wherein the instructions for managing comprise instructions for performing the steps of,

reporting process data from at least one probe point associated with the business process upon

activation of the at least one probe point, determining a value of a KPI associated with the at

least one probe point based on the process data, and evaluating a business commitment

associated with the KPI based on the determined value of the KPI to determine if the business

commitment has been violated.

12. (Original) The program storage device of claim 11, wherein the business commitment

specifications are described using XML (eXtensible Markup Language) syntax.

13. (Cancelled)

14. (Currently Amended) The program storage device of claim 13 11, wherein the

instructions for determining a value of a KPI comprise instructions for determining the value of

the KPI based on a value of at least one other KPI.

15. (Currently Amended) The program storage device of claim 13 11, wherein the instructions for determining a value of a KPI comprise instructions for invoking a function to determine the value of the KPI.

16. (Currently Amended) The program storage device of claim 13 11, wherein the instructions for determining a value of a KPI comprise instructions for determining the value of the KPI based on a value reported from a probe point.

17. (Currently Amended) The program storage device of claim 13 11, wherein the instructions for evaluating a business commitment comprise instructions for evaluating a condition specified by the business commitment using the determined value of the KPI.

18. (Currently Amended) The program storage device of claim 13 11, further comprising instructions for commencing an action if it is determined that the business commitment has been violated.

19. (Original) The program storage device of claim 18, wherein the instructions for commencing an action comprise instructions for providing notification of the violation to an entity associated with the business commitment.

20. (Original) The program storage device of claim 18, wherein the instructions for commencing an action comprise instructions for invoking a management directive to alter the execution of the business process.

Allowable Subject Matter

2.   Claims 1-2, 4-12, and 14-20 are allowed

Reasons for Allowance

3.   The following is an Examiner's statement of reasons for allowance:

The closest prior art is Stowell et al "Stowell" (US 2002/0099579). Stowell teaches calculating key performance indicators (KPI's) from the data extracted from standard business documents. This process provides risk profiles for individual links in trading partner networks. However, Stowell fails to teach or suggest reporting process data from at least one probe point associated with the business process upon activation of the at least one probe point, determining a value of a KPI associated with the at least one probe point based on the process data, and evaluating a business commitment associated with the KPI based on the determined value of the KPI to determine if the business commitment has been violated, taken in combination with a method for managing a business process as recited in independent claim 1

The closest prior art is Stowell et al "Stowell" (US 2002/0099579). Stowell teaches calculating key performance indicators (KPI's) from the data extracted from standard business documents. This process provides risk profiles for individual links in trading partner networks. However, Stowell fails to teach or suggest reporting process data from at least one probe point associated with the business process upon activation of the at least one prove point, determining a value of a KPI associated with the at least one probe point based on the process data, and evaluating a business commitment associated with the KPI based on the determined value of the KPI to determine if the business commitment has been violated, taken in combination with a program storage device readable by machine, tangibly embodying a program of instructions executable by the machine to perform method steps for managing a business process as recited in independent claim 11.

Conclusion

4.   The prior art made of record and not relied upon is considered pertinent to applicant's
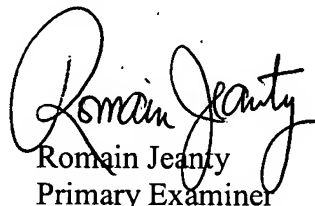
disclosure.

a.   Flores (WO9418620), discloses a method for managing business process.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Romain Jeanty whose telephone number is (571) 272-6732. The

examiner can normally be reached on Mon-Thurs 7:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Tariq R. Hafiz can be reached on (571) 272-6729. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RJ

Romain Jeanty
Primary Examiner
Art Unit 3623
August 5, 2007